

# SENATE NO. 1229

## AN ACT RESTRICTING ACCESS TO BIRTH RECORDS

*Be it enacted by the Senate and House of Representatives in General Court assembled,  
And by the authority of the same, as follows:*

1 SECTION 1. Section 10 of chapter 66 of the General Laws, as appearing in the 2004 official edition, is  
2 hereby amended by adding at the end of clause (d) the following new paragraph:

3 “(e) A custodian shall not permit the inspection or copying of the birth record of a child, if the  
4 child is below the age of eighteen at the time the request to inspect or copy such birth record is  
5 made, except upon proper judicial order, or upon written request from one of the following: (1)  
6 the child seeking his or her own birth record; (2) the child’s parent(s), legal guardian,  
7 conservator, attorney, or physician; (3) a law enforcement or other investigatory official whose  
8 performance of his or her legal duties entitles him or her to the information contained in the  
9 birth certificate.”

10 SECTION 2. Chapter 46 of the General Laws, as appearing in the 2004 official edition, is hereby  
11 amended by striking section 2A and inserting in its place the following:

12 “Examination of records and returns of birth records or of marriage records, or of copies of such  
13 records in the department of public health, shall not be permitted except upon proper judicial order, or  
14 upon request of a person seeking his own birth or marriage record, or his attorney, physician, parent,

15 guardian, or conservator, as the case may be, entitle him to the information contained therein, nor shall  
16 certified copies thereof be furnished except upon such order, or the request of such person. The  
17 provisions of this section shall not apply to such records, returns or notices recorded or filed prior to  
18 January first, eighteen hundred and forty-one or to such copies thereof.”